



U.S. Department
of Transportation
**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

March 28, 2024

Mr. Daniel T. Stein
Fleet Equipment Lead
Olin Corporation
490 Stuart Road, NE
Cleveland, TN 37312-4918

Reference No. 22-0087

Dear Mr. Stein:

This letter is in response to your August 19, 2022, letter requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to ownership of equipment when performing repairs, alterations, conversion, and modifications of rail tank cars and service equipment.

We have paraphrased and answered your questions as follows:

- Q1. You ask whether the intent of § 180.513(b)—Responsibilities of Tank Car Facility—pertains to obtaining the permission of an equipment owner in a scenario where there are multiple owners of the assets (e.g., tank cars, liners, or service equipment).
- A1. Under § 180.513(b), “A tank car facility must obtain the permission of the equipment owner before performing work affecting alteration, conversion, repair, or qualification of the owner’s equipment.” If the tank car and/or the tank car service equipment have multiple owners, the tank car facility would need permission from all owners of said asset, or the owner of the affected equipment.
- Q2. You ask whether the service equipment owner or the tank car owner is responsible for establishing the interval for service equipment inspection and testing.
- A2. Under § 180.509(k)(1), “Each tank car owner must ensure the qualification of tank car service equipment at least once every ten (10) years.” As this is a minimum requirement, any service equipment inspection and test interval that is less than 10 years is allowed and may be initiated by the service equipment owner or the tank car owner. If either party—the service equipment owner or the tank car owner—is aware of inspection and

test results that indicate that the design level of reliability and safety of the service equipment will not be met for a given inspection and test frequency, this information must be shared between the parties involved and an appropriate inspection and test frequency selected.

I hope this information is helpful. Please contact us if we can be of further assistance.

Sincerely,

A handwritten signature in blue ink, appearing to read "S. Andrews".

Steven Andrews
Acting Chief, Regulatory Review and Reinvention Branch
Standards and Rulemaking Division

From: [INFOCNTR \(PHMSA\)](#)
To: [Hazmat Interps](#)
Subject: FW: Interpretation Request: 49 CFR Part 180 Subpart F Equipment Owner Duty Clarifications
Date: Wednesday, August 24, 2022 12:51:24 PM
Attachments: [image001.png](#)
[USDOT-PHMSA Request for Interpretation.pdf](#)

See attached/below request for interpretation.

Thanks,
Jonathon, HMIC

From: Stein, Daniel T CLEV <DTStein@olin.com>
Sent: Friday, August 19, 2022 10:59 AM
To: INFOCNTR (PHMSA) <INFOCNTR.INFOCNTR@dot.gov>
Subject: RE: Interpretation Request: 49 CFR Part 180 Subpart F Equipment Owner Duty Clarifications

CAUTION: This email originated from outside of the Department of Transportation (DOT). Do not click on links or open attachments unless you recognize the sender and know the content is safe.

I should have noted, my original message did not go through to the interpretations mailbox, so appreciate your help in routing this request.



Daniel Stein
Fleet Equipment Lead

C: (859) 240-1753
DTStein@Olin.com

From: Stein, Daniel T CLEV
Sent: Friday, August 19, 2022 10:57 AM
To: INFOCNTR.INFOCNTR@dot.gov
Subject: FW: Interpretation Request: 49 CFR Part 180 Subpart F Equipment Owner Duty Clarifications

Please see below & attached. Thank you.



Daniel Stein
Fleet Equipment Lead

C: (859) 240-1753
DTStein@Olin.com

From: Stein, Daniel T CLEV

Sent: Friday, August 19, 2022 10:51 AM

To: 'hazmatinterps@dot.gov' <hazmatinterps@dot.gov>

Cc: Baxter, Christopher M MCIN <CMBaxter@olin.com>; Mills, Michael K CLEV <MKMills@olin.com>;

Vain, Brian D HOUS <BDVain@olin.com>; Castle, Angela M HOUS <AMCastle@olin.com>

Subject: Interpretation Request: 49 CFR Part 180 Subpart F Equipment Owner Duty Clarifications

Hello,

Please find the attached inquiry, and thank you in advance for your time.



Daniel Stein

Fleet Equipment Lead

(O) 423.336.4206

DTStein@Olin.com

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